

ROLL CALL

DATE 3-13-07

[illegible]



SENATE STANDING COMMITTEE REPORT

March 14, 2007

Page 1 of 1

Mr. President:

We, your committee on **Business, Labor, and Economic Affairs** recommend that **House Bill 286** (third reading copy -- blue) **be concurred in.**

Signed: _____

A handwritten signature in cursive script, reading "Vicki Cocchiarella", is written over a horizontal line.

Senator Vicki Cocchiarella, Chair

To be carried by Senator Vicki Cocchiarella

- END -

Committee Vote:

Yes 7, No 4

Fiscal Note Required _____

Handwritten initials "KA" in a stylized, cursive font.

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MONTANA STATE SENATE
2007 LEGISLATURE

BUSINESS, LABOR AND ECONOMIC AFFAIRS

ROLL CALL VOTE

DATE 3-13-07 BILL NO. HB 286 NUMBER 74
MOTION: Be COCURRED IN

NAME	AYE	NO
SEN. JOE BALLYEAT (R)		✓
SEN. ROY BROWN (R)		✓
SEN. JOHN ESP (R)		✓
SEN. VERDELL JACKSON (R)		✓
SEN. LANE LARSON (D)	✓	
SEN. DON RYAN (D)	✓	
SEN. FRANK SMITH (D)	✓	
SEN. CAROLYN SQUIRES (D)	✓	
SEN. DONALD STEINBEISSER (R)	✓	
SEN. JOE TROPILA (D)	✓	
SEN. VICKI COCCHIARELLA (D) - CHAIRWOMAN	✓	

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f) , a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator Sackson

to vote my proxy on any issue before the Senate Business &

Labor Committee

held on 3/13/07, 2007.

HB 286 - NO


SENATOR
STATE OF MONTANA

**MONTANA STATE SENATE
2007 LEGISLATURE**

VISITOR REGISTER

BUSINESS, LABOR AND ECONOMIC AFFAIRS

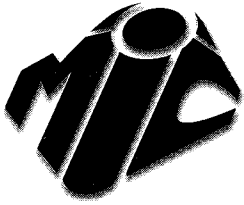
DATE 3-13-07

BILLS BEING HEARD TODAY HB 286, 409, 485

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
CURT LANCE	406 587 4511	Team Bozeman Motors	HB 409	✓	
Glenn Middlestead	406 443 4631	Helena Cycle Center	HB 409		
ANDY POOLE	406 841 2707	DEPT OF COMMERCE	HB 286	✓	
Cassy Blumenthal		MHA	485	✓	
Vicki DeBoer	600 440 73	MT - NASW	485	✓	
Jill Wilkerson	449 6208	MT - NASW	485	✓	
Jacque VanBuren	788 2903	Sports City Cycles	409	✓	
Cynthia Breen	841 2392	DLI / BSD / SWP Board	485		
Gay Amos	411 383 70	Risk & Economic Development Corporation	HB 286	✓	
Jesse Munter	406 459 240	MT NASW	HB 485	X	
Ronda Wiggers	899 5659	MT Snowmobile Assoc.	HB 409	X	
Al Smith	439 3124	MTLHA	HB 409	X	
Mary McCue	431 3972	MT chapter NASW	HB 485	X	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY



Motorcycle Industry Council
Government Relations Office

February 15, 2007

The Honorable Vicki Cocchiarella
Chair
Senate Business, Labor and Economic Affairs Committee
Capitol Station #332
Helena, MT 59620

Dear Chairperson Cocchiarella:

The Motorcycle Industry Council (MIC) is a national not-for-profit trade association representing over 300 manufacturers and distributors of motorcycles, scooters, parts and accessories and members of allied trades.

I am writing to express our concern with H 409, which would define "motorsports vehicle" and prohibit certain unfair practices by manufacturers and distributors. While we are not opposed to reasonable franchise legislation, H 409 would create confusion at best and in some cases, conflicting law.

H 409 would define a "motorsports vehicle" as a personal watercraft, snowmobile, motorcycle, motor-driven cycle or quadricycle (all-terrain vehicle). Yet, these vehicles are included in the definition of "motor vehicle" for the purposes of the existing Montana statutes regulating motor vehicle manufacturers and distributors and the franchise relationship [61-4-201].

Section 61-4-208 of the Montana statutes specifically sets forth prohibited acts on the part of manufacturers or distributors of these vehicles. H 409 would enact a new and different set of prohibited acts for these same manufacturers. In some cases the language is similar; in some cases, it is conflicting.

Passage of H 409 would put manufacturers of motorcycles, personal watercraft, snowmobiles, and ATVs in an impossible situation of having to comply with two different and conflicting laws.

Trying to comply with the myriad laws regulating business is burdensome enough already. Subjecting franchisors and franchisees to two sets of different and conflicting laws, would be an example of regulation at its worst.

We urge that H 409 be revisited and if there are changes to the franchise law that you deem necessary, these changes be made by amending the existing law pertaining to these vehicles [61-4-201, et seq.], rather than creating a new body of conflicting law.

Thank you very much for your consideration of these comments.

Sincerely,

Kathy R. Van Kleeck
Sr. Vice President, Government Relations